

**SEALED****FILED****SEALED**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

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CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

CRIMINAL NO. SA-10-CR-~~51~~

DEPUTY CLERK

Plaintiff,

v.

MELVIN DAVID TOWNS, JR.

Defendant.

**SA 10 CR 0614****XR**[Vio.: 21 U.S.C. § 846:  
Conspiracy to Manufacture  
Methamphetamine; 21 U.S.C. §  
846: Conspiracy to Possess and  
Distribute Pseudoephedrine.]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. § 846]

That beginning on or about September of 2007, the exact date unknown to the Grand Jury, and continuing until on or about June of 2009, the exact date unknown to the Grand Jury, in the Western District of Texas and divers other places, Defendant,

**MELVIN DAVID TOWNS, JR.,**

and others known and unknown to the Grand Jury, did unlawfully, knowingly and intentionally combine, conspire, confederate, and agree together and with one another to manufacture a controlled substance, which offense involved a quantity of methamphetamine, a Schedule II Controlled Substance, and to possess and distribute a listed chemical, as defined in Title 21, United States Code, Section 802, specifically, pseudoephedrine, knowing, and having reasonable cause to believe, that the listed chemical would be used to manufacture methamphetamine, a Schedule II controlled substance,

in a manner other than as authorized by Title 21, United States Code, Sections 801 through 971, contrary to Title 21, United States Code, Sections 841(a)(1), 841(c)(1) and 841(c)(2), and in violation of Title 21, United States Code, Section 846.

OBJECTS OF THE CONSPIRACY

Methamphetamine is a Schedule II Controlled Substance which is unlawfully manufactured by means of chemical synthesis. One of the manufacturing processes commonly utilized in the unlawful production of methamphetamine requires as an immediate precursor the List I Chemical pseudoephedrine. Pseudoephedrine is a common ingredient in over-the-counter cold, flu, sinus, and allergy medications which are legally sold without prescription. Quantities of the pseudoephedrine contained in these over-the-counter medications are often utilized by individuals engaged in the unlawful manufacture of methamphetamine as the immediate precursor in order to produce methamphetamine. In order to control the misuse of pseudoephedrine as an ingredient for the illegal manufacture of methamphetamine, Federal government regulations limit the quantity of these medications an individual can purchase on any one occasion or during a given time period and also prescribe that the commercial vendors who sell these medications identify the purchasers and maintain records of these sales. So that the Defendant and his co-conspirators could successfully

produce commercial quantities of methamphetamine, it was necessary that the Defendant and his co-conspirators acquire the above described medications so that the pseudoephedrine contained therein could be extracted and utilized as an ingredient to manufacture the methamphetamine.

MANNER AND MEANS

During the course of the conspiracy, the Defendant, and others acting in concert with him, aided and abetted each other in order to facilitate the production of commercially distributable quantities of methamphetamine. The Defendant and his co-conspirators made numerous purchases of over-the-counter medications containing pseudoephedrine and then provided them to their co-conspirators. This pseudoephedrine was then utilized in the manufacture of the methamphetamine. The Defendant furthered this conspiracy as follows:

1. Between September of 2007 and May of 2009, MELVIN DAVID TOWNS, JR. purchased in excess of 100 grams of pseudoephedrine which were used by him and others to manufacture methamphetamine;

2. During the course of the conspiracy, on various and regular occasions, MELVIN DAVID TOWNS, JR., aided and abetted by others, manufactured quantities of methamphetamine.

A TRUE BILL.



FOREPERSON

JOHN E. MURPHY  
United States Attorney

By:



CHARLIE STRAUSS  
Assistant United States Attorney